

85921

Application No. \_\_\_\_\_

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office FEB 08 2016

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 08 2016The applicant John Sustacha Family Revocable TrustP.O. Box 281520

Street Address Or P.O. Box

of

Lamoille

City or Town

Nevada 89828

State and Zip code No.

hereby make(s) application for permission to appropriate

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

\_\_\_\_\_  
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\_\_\_\_\_  
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\_\_\_\_\_

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1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources
2. The amount of water applied for is 0.0156 cfs  
One second foot equals 448.83 gallons per minute.  
(a) If stored in reservoir give number of acre-feet \_\_\_\_\_
3. The water to be used for Stockwater  
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated \_\_\_\_\_
  - (b) Stockwater, state number and kind of animals 500 cattle
  - (c) Other use (describe fully in No. 12) \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_

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5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

SE1/4 SE1/4 of Section 3, T.34 N., R.56 E., M.D.B. & M., at a point from which the Northeast  
Corner of said Section 3 bears N 13° 04' 12" E, 4351.57 feet.

6. Place of use (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

NW1/4 NW1/4, NW1/4 NE1/4 and the SE1/4 SE1/4 of Section 3, T.34 N., R.56 E., M.D.B. & M.  
and the NE1/4 SE1/4 of Section 33, T.35 N., R.56 E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st of each year.  
Month and Day Month and Day

8. Description of proposed works (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

Drilled Well, pump, pipelines and troughs.

9. Estimated cost of works: \$10,000.00

10. Estimated time required to construct works: 3 years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)

Drilled well with pump and pipelines to supply water to troughs to water 500 head of cattle within  
the proposed place of use.

13. Miscellaneous remarks:

remorley@frontiernet.net

E-mail Address

(775) 738-4053

Phone No.

Ext

Robert E. Morley

Type or print name clearly

Robert E. Morley

Signature, applicant or agent

High Desert Engineering, LLC

Company Name

640 Idaho Street

Street Address or P.O. Box

Elko, Nevada 89820

City, State, Zip Code

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

**\$360 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

# AFFIDAVIT IN SUPPORT OF STOCK-WATER APPLICATION

I [name] John Sustacha Family Revocable Trust, being first duly sworn, deposes and say I or my agent filed a water right application with the Nevada Division of Water Resources to appropriate water for stock-watering purposes. Application Numbers (if numbers have already been assigned).

Whereas, Nevada Revised Statute § 533.503(1) provides that the State Engineer shall not issue a permit to appropriate water for the purpose of watering livestock unless:

(a) The applicant for the permit is legally entitled to place the livestock on the lands for which the permit is sought, and:

(1) Owns, leases or otherwise possesses a legal or proprietary interest in the livestock on or to be placed on the lands for which the permit is sought; or

(2) Has received from a person described in subparagraph (1), authorization to have physical custody of the livestock on or to be placed on the lands for which the permit is sought, and authorization to care for, control and maintain such livestock;

(b) The forage serving the beneficial use of the water to be appropriated is not encumbered by an adjudicated grazing preference recognized pursuant to law for the benefit of a person other than the applicant for the permit; and

(c) The lack of encumbrance required by paragraph (b) is demonstrated by reasonable means, including, without limitation, evidence of a valid grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the permit.

**IF THE APPLICATION IS FOR STOCK WATERING ON PRIVATE LAND:** I testify that I am the owner ☒ or lessee ☐ (check one) of the place of use where the livestock is to be watered.

**IF THE APPLICATION IS FOR STOCK WATERING ON PUBLIC LAND:** I testify that I hold the valid federal grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the water right permit.

I testify that I am the (1) owner ☒ or (2) lessee ☐ or (3) possess a legal or proprietary interest in the livestock to be watered under this application ☐ (check applicable criteria) OR I have received ☐ (check if applicable) from the person who owns or leases or otherwise possess a legal or proprietary interest in the livestock authorization to have physical custody of the livestock and authorization to care for, control and maintain such livestock.

I have read all the statements in this Affidavit and the Affiant declares that the statements are true and correct to the best of my knowledge and belief.

State of Nevada  
County of Elko

Signed John Sustacha  
Applicant (Cannot be signed by an agent)

Subscribed and sworn to before me on Feb 2, 2016

Address P.O. Box 281520  
Street Address or P.O. Box

by John Sustacha

Lamoille, Nevada 89828  
City, State, Zip Code

Charlene A. Jones  
Signature of Notary Public Required

Phone 775-753-6253

Email \_\_\_\_\_

